

## **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application.

### **Listing of Claims:**

1. (Canceled).
2. (Currently Amended) The composition according to claim 32 in which the polymer matrix has different optical or spectroscopic properties from those of the ~~immobilised~~ particles.
3. (Currently Amended) The composition according to claim 32 in which the ~~immobilised~~ particles are monodisperse.
4. (Withdrawn, Currently Amended) The composition according to claim 32 in which the ~~immobilised~~ particles are heterodisperse.
5. (Withdrawn, Currently Amended) The composition according to claim 32 in which the ~~immobilised~~ particles are spherical.
6. (Canceled).
7. (Previously Presented) The composition according to claim 32 comprising from 4 to 10 particles.
- 8 (Previously Presented) The composition according to claim 32 comprising from 4 to 8 particles.
9. (Currently Amended) The composition according to claim 32 comprising 3 to 4 particles. ~~less than 5 particles.~~

10. (Previously Presented) The composition according to claim 7, said bead being essentially spherical.

11. (Canceled).

12. (Previously Presented) The composition according to claim 10, wherein all of said particles are essentially monodisperse.

13 (Withdrawn) The composition according to claim 7 wherein said particles are less than 10 micrometer in diameter.

14. (Withdrawn) The composition according to claim 13, wherein said particles are less than 5 micrometer in diameter.

15. (Withdrawn) The composition according to claim 13, wherein said particles are less than 1 micrometer in diameter.

16. (Withdrawn) The composition according to claim 13, wherein said particles are less than 0.1 micrometer in diameter.

17. (Previously Presented) The composition according to claim 7, wherein said particles comprise a spectroscopically detectable marker.

18. (Previously Presented) The composition according to claim 7, wherein said particles comprise a fluorescently detectable marker.

19. (Currently Amended) The composition according to claim 18, wherein the fluorescently detectable marker is selected from the group consisting of ~~dyes based on the structure of~~ fluorescein, oregon green, rhodamine, aminobenzoic acid, ~~Alexa<sup>TM</sup> probes, a~~ sulfonated aminocoumarin probe, a sulfonated rhodamine probe, BODIPY-dyes, cascade

blue dye, coumarine, naphthalenes, dansyl, indoles, pyrenes, pyridyloxazole, cascade yellow dye, Dapoxyl Dye, Fluorescamine, aromatic ortho dialdehydes, OPA and NDA, ATTO-Tag's, and 7-Nitrobenz-2-oxa-1,3-Diazole or derivatives thereof.

20. (Currently Amended) The composition according to claim 18, wherein said fluorescently detectable marker is selected from the ~~fluorescent~~ group of ~~compounds and materials~~ consisting of ~~fluorescent~~ fluorescent organic polycyclic compounds, conjugated vinylic compounds, heterocyclic transition metal complexes, rare earth metal compounds, inorganic oxides and glasses.

21. (Withdrawn, Currently Amended) The method according to claim 43, wherein a fluorescently detectable marker is attached to the ~~immobilized~~ particles of the composition and is detectable by a fluorescent spectroscopic method. ~~two-photon fluorescence spectroscopy.~~

22-23 (Canceled).

24. (Currently Amended) The composition according to claim 18, wherein the polymer matrix is optically transparent in the optical excitation of said fluorescent marker and/or the emission wavelength ranges of said fluorescent marker.

25. (Currently Amended) The composition according to claim 32, wherein the polymer matrix is selected from the group consisting of polyethers/ polyvinyls, polyacrylates, polyacrylamides polyacrylamides, polystyrenes, polycarbonates, polyesters, polyamides, and combinations thereof.

26. (Currently Amended) The composition according to claim 32, wherein the polymer matrix is selected from the group consisting of SPOCC, PEGA, HYDRA, POEPOP, PEG polyacrylate copolymers/ polyether-polyamine copolymers, crosslinked polyethylene diamines, and combinations thereof.

27. (Withdrawn, Currently Amended) The method according to claim 43, wherein a marker is attached to the ~~immobilized~~ particles of the composition and said marker is detected by fast spectroscopic techniques other than fluorescence spectroscopy.

28. (Withdrawn) The method according to claim 27, wherein said fast spectroscopic technique is selected from the group consisting of Infrared spectroscopy, raman spectroscopy, visible light spectroscopy, UV spectroscopy, electron spin resonance, and nuclear magnetic resonance.

29. (Withdrawn, Currently Amended) The method according to claim 43, wherein a marker is attached to the ~~immobilized~~ particles of the composition and said marker is detected by fast detection techniques, other than spectroscopy, selected from the group consisting of light scattering, reflection, diffraction and light rotation.

30. (Withdrawn, Currently Amended) The method according to claim 43, wherein a marker is attached to the ~~immobilized~~ particles of the composition and the marker is detected by probing the marker with a range of frequencies differing by less than 10% based on the numerical highest frequency value.

31. (Withdrawn, Currently Amended) The method according to claim 43, wherein a marker is attached to the ~~immobilized~~ particles of the composition and the marker is detected by probing the marker with one or more predetermined frequencies.

32. (Currently Amended) A composition comprising a plurality of different, spatially encoded beads, comprising

a polymer matrix and from 3 to not more than 10 spatially immobilized, individually detectable particles held in the polymer matrix,

~~wherein essentially each bead is individually identifiable,~~

wherein each bead has a diameter of from 0.5 millimeter to less than 2.0 millimeter, ~~and comprises from 3 to not more than 10 spatially immobilized, individually detectable particles held in a polymer matrix,~~

wherein the diameter of the particles is less than 30 micrometer, the particles being disposed in a spatial configuration relative to one another that constitutes the code serving to identify each bead.

33. (Previously Presented) The composition according to claim 32, wherein the composition comprises at least  $10^2$  individually identifiable beads.

34-36 (Canceled).

37. (Previously Presented) The composition according to claim 32, wherein the composition comprises at least  $10^9$  individually identifiable beads.

38. (Previously Presented) The composition according to claim 32, wherein each bead comprises at least one site for functionalisation to which a ligand or a bioactive species can be attached.

39. (Previously Presented) The composition according to claim 38, wherein the site for functionalisation comprises a reactive group or a scaffold comprising two or more of such reactive groups.

40. (Currently Amended) The composition according to claim 38 further comprising a plurality of ligands or bioactive species attached to the ~~beaded~~ polymer matrix, matrices, wherein different ligands or different bioactive species are attached to different beads, wherein more than about 95% of all of said different beads are individually identifiable.

41. (cancelled)

42. (Currently Amended) The composition according to claim 32, wherein the spatial positions of particles in each bead are defined by sets of coordinates (x,y,z) of particle centers of said particles, relative to a reference point of detection.

43. (Withdrawn, Currently Amended) A method for the detection of relative positions in space of centers (x,y,z) of immobilized particles of the composition according to claim 32, said method comprising the step of recording of at least two 2D-projections of the particles, said method optionally comprising the further step of determining, on the basis of the relative positions in space of centers (x,y,z) of immobilized particles, the distance matrix for individual beads, or a set of geometrical figures, ~~such as triangles~~, derivable from the relative positions in space of centers (x,y,z) of the immobilized particles.

44. (Withdrawn, Currently Amended) The method according to claim 43 wherein 3 2D-projections are recorded along 3 orthogonal axes x, y and z to generate 3 sets of 2D-coordinates (y,z), (x,z) and (x,y), respectively, from which the 3D-coordinates (x,y,z) of particle centers can be derived.

45. (Withdrawn) The method according to claim 43, wherein a plurality or stack of 2D projections are generated by confocal or focal microscopy to recreate the 3D image matrix of the bead from which the relative particle position (x,y,z) in space can be determined.

46. (Withdrawn) The method of claim 43 employing at least one focused scanning laser for detection of relative positions in space of centers (x,y,z) of immobilized particles and laminar fluidics for bead manipulation.

47. (Withdrawn) The method of claim 46 in which the coordinates x and y of a particle position are determined by fast scanning two orthogonally aligned lasers over two cross sections of the moving bead while the z coordinate is determined by the time of flight of the bead at known flow rates.

48. (Withdrawn) The method of claim 43 in which the coordinates x and y of a particle position are determined by using a single laser and particle position a rotating

mirror are determined by using a single laser and a rotating mirror that via 2 or 3 geometrically arranged static mirrors reflects the laser beam along 2 or 3 orthogonal axes.

49. (Withdrawn, Currently Amended) A method for preparing beads ~~generating a beaded polymer matrix comprising a plurality of spatially immobilised particles~~ for use in [[a]] the composition according to claim 32, said method comprising the steps of

- a. synthesizing a monomer or macromonomer and a crosslinker for polymerization, and
- b. mixing these with the encoding particles to give an even dispersion of particles in the mixture, and
- c. polymerizing the monomer or macromonomer by either i) suspension polymerisation and/or; ii) inverse suspension polymerisation and/or iii) bulk polymerisation followed by granulation, and/or iv) droplet polymerisation.

50. (Withdrawn) The method of claim 49, wherein the polymerisation reaction is a radical initiated chain polymerisation reaction.

51. (Withdrawn) The method of claim 49, wherein the polymerisation reaction is an anion initiated ring opening polymerisation reaction.

52. (Withdrawn, Currently Amended) The method of claim 49, wherein the polymerisation reaction is ~~an anion~~ a cation initiated ring opening polymerisation reaction.

53. (Withdrawn) A method for distance matrix determination of at least one bead in the composition of claim 32, each bead comprising a plurality of spatially immobilised particles comprising an optically detectable label, said method comprising the steps of

- i) providing at least one composition according to claim 32,
- ii) providing at least one device for recording and storing at least one image of the at least one bead, said device comprising
  - a) at least one source of illumination,

- b) at least one flow system comprising a flow cell comprising an imaging section,
- c) at least one pulse generator,
- d) at least one image intensifier,
- e) at least one CCD camera,

iii) activating at least one source of illumination,

iv) introducing the at least one encoded bead comprising a plurality of particles into the flow cell comprising an imaging section,

v) recording at least one image of the at least one bead by sending substantially simultaneously a pulse generated by a pulse generator to both a) the at least one image intensifier, and b) the at least one CCD camera capable of recording said at least one image, and

vi) determining for individual beads a distance matrix based on the at least one image obtained for each bead in step v),

wherein the distance matrix for an individual bead is determined by a method comprising the steps of

determining for each particle of the encoded bead the 2D coordinates in the XZ-plane and in the YZ-plane, thereby generating a first set of data and a second set of data,

combining the first set of data and the second set of data and thereby obtaining 3D coordinates for each particle, and

calculating the distance matrix as the full set of distances between particles for which preferably only one set of 3D coordinates is obtained.

54. (Withdrawn) The method of claim 53, wherein steps iv), v), and vi) are repeated for individual steps entering the flow cell.

55. (Withdrawn) The method of claim 53 comprising the further step of detecting a bead entering the flow cell by using a photo-sensor.



56. (Withdrawn) The method of claim 53, wherein the pulse generator is activated by the activation of the photo-sensor, and wherein the photo sensor is activated by an encoded bead entering the flow cell.

57. (Withdrawn) The method of claim 53 comprising the further step of storing the at least one image on a data storage medium.

58. (Withdrawn) The method of claim 53, wherein two CCD cameras and two image intensifiers are employed for recording the at least one image of the at least one bead.

59. (Withdrawn) The method of claim 53, wherein the source of illumination comprises a continuous wave laser capable of illuminating the imaging section of the flow cell.

60. (Withdrawn) The method of claim 53, wherein the photo-sensor for detecting the entry of an encoded bead into the imaging section of the flow cell comprises an optical objective for focusing said imaging section of said flow cell onto the photo-sensitive area of said photo-sensor, wherein said optical objective of said photo-sensor comprises a fluorescence filter capable of blocking the light of said laser, and wherein said fluorescence filter transmits the fluorescence emission from the particles.

61. (Withdrawn) The method of claim 53, wherein the at least one CCD camera for recording the at least one image of the at least one encoded bead comprises at least one gated image intensifier for amplifying the fluorescence emission from the encoded bead, and wherein each of said image intensifiers comprises at least one optical objective for focussing said imaging section of said flow cell onto the photo-sensitive area of each image intensifier, and wherein each optical objective comprises a fluorescence filter for blocking the light of said laser, and wherein the fluorescence filter transmits the fluorescence emission from the particles.

62. (Withdrawn) The method of claim 53, wherein a plurality of encoded beads are provided and wherein multiple distance matrices are determined based on individual distances recorded for individual beads.

63. (Withdrawn) The method of claim 62, wherein a set of multiple distance matrices is determined for a subpopulation of the beads based on more than one set of individual distances recorded for the subpopulation of beads.

64. (Withdrawn) The method of claim 62, wherein each distance matrix is recorded individually.

65. (Withdrawn) The method of claim 53, wherein at least one image of each bead is recorded per second.

66. (Withdrawn, Currently Amended) The method of claim 53, wherein a total of more than 4000 beads are recorded per hour, ~~such as more than 5000 beads per hour, for example more than 10000 beads per hour, such as more than 15000 beads per hour, for example more than 20000 beads per hour such as more than 25000 beads per hour, for example more than 30000 beads per hour such as more than 40000 beads per hour, for example more than 50000 beads per hour such as more than 60000 beads per hour, for example more than 70000 beads per hour, such as more than 80000 beads per hour, for example more than 90000 beads per hour such as more than 100000 beads are recorded per hour.~~

67. (Withdrawn, Currently Amended) The method of claim 53, wherein the optical power of the laser is in the range of from 1 mWatt to preferably less than about 200 mWatt, ~~such as about 10 mWatt, for example about 50 mWatt, such as about 100 mWatt, for example about 150 mWatt.~~

68. (Withdrawn, Currently Amended) The method of claim 53, wherein the wave length of the laser is in the range of from about 450 nm to preferably less than 700 nm, ~~such as about 500 nm, for example about 600 nm.~~

69. (Withdrawn, Currently Amended) The method of claim 53, wherein the exposure time of the image intensifiers is preferably less than about 1 millisecond, ~~such as less than 0.5 millisecond, for example less than 0.1 millisecond.~~

70. (Withdrawn, Currently Amended) The method of claim 53, wherein the exposure time of the CCD cameras is preferably less than about 1 millisecond, ~~such as less than 0.5 millisecond, for example less than 0.1 millisecond.~~

71. (Withdrawn, Currently Amended) The method of claim 53, wherein the response time of the photo-sensor is preferably less than about 1 millisecond, ~~such as less than 0.5 millisecond, for example less than 0.1 millisecond.~~

72. (Withdrawn, Currently Amended) The method of claim 53, wherein the flow rate of the beads through the flow cell of the flow system is preferably more than 0.01 meter per second, ~~for example more than 0.1 meter per second, such as more than 1 meter per second.~~

73. (Withdrawn, Currently Amended) The method of claim 53, wherein the dimensions of the imaging section is preferably less than 1 milliliter, ~~such as less than 0.5 milliliter, for example less than 0.1 milliliter, such as less than 0.05 example less than 0.01 milliliter, such as milliliter, for less than 0.005 milliliter, for example about or less than 0.001 milliliter.~~

74. (Withdrawn, Currently Amended) The method of claim 53, wherein the flow cell is ~~preferably made from~~ comprises a material which does not absorb the illumination light from the source of illumination and/or the emission light emitted from the particles, ~~preferably quartz or a suitable transparent polymer.~~

75. (Withdrawn, Currently Amended) The method of claim 61, wherein the size distribution of the beads is in the range of from 0.1 millimeter to preferably less than 2 millimeter, ~~such as about 0.5 millimeter, for example about 1 millimeter, such as about 1.5 millimeter, and independently thereof, wherein the diameter of the particles is preferably less than 30 micrometer, for example less than 20 micrometer, such as less than 15 micrometer, for example in the range of from 5 to 15 micrometer.~~

76. (Withdrawn, Currently Amended) The method of claim 75, wherein the majority of the beads, ~~such as more than 75% of the beads 1 for example more than 90% of the beads,~~ are in the range of from 0.5 millimeter to 1 millimeter, and independently thereof, wherein the diameter of the particles is in the range of from 5 to 15 micrometer.

77. (Withdrawn) The method of claim 53, wherein the optically detectable label is selected from the group consisting of light reflecting particles, light absorbing particles, dyes, fluorescent particles, and autofluorescent particles.

78. (Withdrawn) The method of claim 53 comprising the further steps of

- i) comparing the Z-coordinates of different particles within each bead, and
- ii) selecting particles wherein the difference between Z-coordinates is less than a predetermined threshold value, delta-Z,
- iii) pairwise grouping the selected particles according to delta-Z values,
- iv) maintaining the X-coordinate and the Z-coordinate for each of the pairwise grouped particles, and
- v) switching the Y-coordinate between pairwise grouped particles, thereby obtaining an alternative set of 3D coordinates from which an alternative distance matrix can be calculated.

79. (Withdrawn, Currently Amended) A method for identifying individual beaded polymer matrices in ~~[[a]] the composition comprising a plurality of different, spatially encoded, individually identifiable beads with a diameter of from 0.5 millimeter to less~~

~~than 2.0 millimeters, each bead comprising from 3 to 10 particles, each particle with a particle diameter less than 30 micrometer~~, said method comprising the steps of

- i) determining the distance matrix for individual beads according to the method of claim 53,
- ii) deriving from each of the distance matrices generated in step i) all of the possible geometrical figures selected from triangles and quadrangles, which can be generated by connecting particle coordinates with straight lines, and
- iii) recording and storing the set of geometrical figures obtained in step ii) for each bead of the composition to be identified,
- iv) selecting a subset of beads,
- v) identifying one or more of the selected beads on the basis of a comparison of the set of possible geometrical figures selected from triangles and quadrangles of said bead(s) with all sets of possible geometrical figures selected from triangles and quadrangles recorded for the composition in step iii) .

80. (Withdrawn) The method of claim 79, wherein the geometrical figures are triangles.

81. (Withdrawn) The method of claim 79, wherein each bead comprises 3 or 4 spatially immobilised particles.

82. (Withdrawn) The method of claim 79, wherein the geometrical figures are quadrangles.

83. (Withdrawn, Currently Amended) A method for identifying an individually identifiable, spatially encoded, bead in ~~[[a]]~~ the composition according to claim 32, comprising the steps of

- i) determining the unique, spatial position of the ~~three or more~~ particles in the ~~at least one~~ bead to be identified,
- ii) deriving from the positions, a matrix of the distances between the ~~three or more~~ particles,

- iii) deriving from the matrix, a set of all possible triangles defined by the ~~three or more~~ particles,
- iv) identifying said ~~at least one individually identifiable, spatially encoded~~ bead based on comparison of the set of possible triangles with all sets of possible triangles capable of being stored for the composition.

84. (Withdrawn) The method of claim 79 comprising the further step of performing a digital 3D registration of at least some of the identified beads, said 3D registration comprising generating a digital 3D reconstruction of the at least some identified beads based on the orthogonal pairs of images, and wherein the identification of individual beads is aided by an analysis of which of the generated 3D reconstructions represents the best fit to the original 3D registration.

85. (Withdrawn, Currently Amended) A method for recording individual reaction steps involved in ~~[[the]]~~ a step-wise synthesis of a chemical compound in a library comprising the composition on a bead in a library according to claim 32, said method comprising the steps of

- a) spatially immobilizing a plurality of particles in polymer beads,
- b) isolating, ~~preferably by automated selection,~~ at least a subset of the spatially encoded beads provided in step a) and
- c) recording and storing a distance matrix or a geometrical figure derivable from the distance matrix for each bead or granule,
- d) stepwise synthesising chemical compounds on functional groups of the encoded beads, wherein the identity of each bead is recorded and stored for each reaction step,
- e) obtaining for each bead a record of individual reaction steps.

86. (Withdrawn, Currently Amended) A method for identifying a chemical compound being synthesised on a beaded the polymer matrix said method comprising the steps of

- a) performing the recording method of claim 85,

- b) selecting beaded polymer matrices or granules of interest by using an assay or a diagnostic screen selective for the chemical compound having been synthesised on the beaded polymer matrix,
- c) recording the distance matrix for each of the beaded polymer matrices selected in step b) ,
- d) comparing the distance matrix recorded in step c) with all of the distance matrices recorded and stored in step c) of claim 85, thereby obtaining information about the identity of the selected bead,
- e) identifying for each selected bead the sequence of individual steps having lead to the synthesis of the chemical compound, and
- f) identifying, based the sequence of individual steps, the chemical structure of the compound.

87. (Withdrawn) The method of claim 86, wherein the assay is a binding assay performed by measuring the binding of a protein to a ligand bound to the polymer matrix.

88. (Withdrawn) The method of claim 86, wherein the assay is performed by measuring an enzyme activity on a substrate bound to the polymer matrix.

89. (Withdrawn) The method of claim 86, wherein the assay is performed by measuring enzyme inhibition of a molecule bound to the polymer matrix.

90. (Withdrawn) The method of claim 86, wherein the assay is performed by measuring receptor interaction with a compound bound to the polymer matrix.

91. (Withdrawn) The method of claim 86, wherein said plurality of particles comprise a fluorescently detectable marker.

92 . (Withdrawn) The method of claim 91, wherein said fluorescently detectable marker is a uv or visible light-excitable microspheres.

93. (Withdrawn, Currently Amended) A device for recording and storing at least one image of at least one spatially encoded bead of the composition of different, spatially encoded beads according to claim 32, said device comprising

- i) at least one laser source of illumination,
- ii) a flow cell comprising an imaging section,
- iii) at least one pulse generator,
- iv) at least one image intensifier,
- v) at least one CCD camera, and
- vi) a computer running program for calculation of distance matrices for individual spatially encoded beads,

wherein the at least one CCD-camera for recording at least one fluorescence image of an individual encoded bead comprises a gated image intensifier for amplifying the fluorescence emission from the encoded bead,

wherein each of said gated image intensifiers comprises an optical objective for focussing said imaging section of said flow cell onto the photo-sensitive area of each image intensifier, and

wherein each optical objective comprises a fluorescence filter for blocking the light of said laser, said fluorescence filter being capable of transmitting the fluorescent emission from an individual encoded bead.

94. (Withdrawn) The device according to claim 93 further comprising a photo-sensor for detecting entry of an encoded bead into the imaging section of the flow cell.

95. (Withdrawn) The device according to claim 94, wherein the photo-sensor comprises an optical objective for focussing said imaging section of said flow cell onto the photo-sensitive area of said photo-sensor, and wherein said optical objective of said photo-sensor comprises a fluorescence filter for blocking the light of said laser, and the fluorescence filter is capable of transmitting the fluorescence emission from an individual encoded bead.



96. (Withdrawn) The device according to claim 94, wherein the laser source of illumination is a continuous wave laser.

97. (Withdrawn) The device according to claim 94, wherein the photo-sensor comprises an optical objective for focussing said imaging section of said flow cell onto the photo-sensitive area of said photo-sensor, and wherein said optical objective of said photo-sensor comprises a fluorescence filter for blocking the light of said laser, and wherein said fluorescence filter is capable of transmitting the fluorescence emission from an individual encoded bead.

98. (Withdrawn) The device according to claim 94, wherein the device comprises two or more CCD-cameras for recording at least one fluorescence image of an individual encoded bead, wherein each of said two or more CCD-cameras comprises a gated image intensifier for amplifying the fluorescence emission from the encoded bead, wherein each of said gated image intensifiers comprises an optical objective for focussing said imaging section of said flow cell onto the photo-sensitive area of each image intensifier, wherein each optical objective comprises a fluorescence filter for blocking the light of said laser, and wherein the fluorescence filter is capable of transmitting the fluorescence emission from an individual encoded bead.

99. (Withdrawn) The device according to claim 94, wherein the pulse generator is an electrical square wave pulse generator for triggering said two or more CCD-cameras and/or said two or more image intensifiers.

100. (Withdrawn) The device according to claim 94 further comprising an image storage system comprising

- a) a framegrabber for recording the images from said two or more CCD-cameras,
- b) an electronic memory-device for storing said images from said framegrabber,
- c) a program code for controlling said electronic memory-device, and
- d) a computer for integrating said framegrabber and said electronic memory device and for executing said program code.

101. (Withdrawn) The device according to claim 94 further comprising a fast computer for on-line image processing of the images and determination of the number of particles per encoded bead and the set of possible distance matrices.

102. (Withdrawn) The device according to claim 101 further comprising a switching valve positioned downstream from the flow cell and means for controlling said valve on the basis of the number of particles per encoded bead.

103-107(Canceled).

108. (Currently Amended) The composition of claim 32, wherein said beads are ~~obtainable by~~ prepared by a process, which comprises:

suspending the particles in a polymerizable liquid,  
polymerizing the liquid to obtain the polymer matrix, and  
forming beads with embedded particles from said matrix.

109-111 (Canceled).